answers are assumed to be guessed at;

maintaining an instantaneous house advantage for the casino game, the instantaneous house advantage based on the wager, expected return for the game of chance, chosen frequency of the knowledge-based bonus game, and correctness of the answers, the instantaneous house advantage is always greater than or equal to zero and is variable within a set range of approximately 10% regardless of the correctness of the answers.

D13

129. (new) The method of claim 128 wherein the limits of said set range are approximately 5% to 15%.

REMARKS

In the Made Final Rejection dated January 17, 2001, all of the original 87 claims were rejected variously under 35 U.S.C. § 102, 103, and 112. Claims 31-41 and 59-87 are cancelled without waiver or prejudice to the Applicant's position and further arguments that these claims are patentably distinct and are the subject of a continuing application identified as Serial No. 09/875,753, filed 6/06/01. On June 6, 2001 a "Response and Amendment After Final Rejection" was filed followed by an Interview with Examiner William Pierce on June 11, 2001.

On July 2, 2001, a further Interview was held with SPE J. Chapman. On July 5, 2001 SPE J. Chapman stated that this case may be re-assigned to Primary Examiner B. Layno.

In the Advisory Action, the proposed amendments in the Response After Final were not entered, although the drawing objections and the 112 rejections were deemed overcome. Hence, this Preliminary Amendment substantially corresponding to the Request After Final is herein submitted.

New claims 88-129 are added. It is respectfully requested that reconsideration of the remaining claims be made based upon the following arguments, declarations, evidence and amendments. The amendments to the claims 1-30 and 42-58 are attached as Exhibit A. The legal arguments and evidence set forth in the prior responses are fully incorporated herein without waiver.

Objection to Drawings

The Advisory Action held that the "Response After Final" overcame the objections but the proposed drawings of Figures 5 and 6 were not approved. These amended drawings are herein submitted for approval and for entry.

35 U.S.C. §112 (First Paragraph) Rejection

The amendments to claims 1, 19, and 42 and their corresponding dependent claims, made in the "Response After Final" were not entered in the Advisory Action. However, the amendments and the reply were held in the Advisory Action to overcome the §112 1st paragraph rejections. These amendments to the aforesaid claims are submitted herein and entry is requested.

35 U.S.C. §112 (Second Paragraph) Rejection

The amendments to claims 1-18 made in the "Response After Final" were not entered in the Advisory Action. However, the amendments and the reply were held in the Advisory Action to overcome the §112 2nd paragraph rejections. These amendments to the aforesaid claims are submitted herein and entry is requested.

35 U.S.C. § 102

Claims 1-7, 12, 13, 18, 42-46, 50, 55, 57 and 58 are rejected under 35 U.S.C. §102(b) as being anticipated by Keller and in the alternative, 2,197,974.

Neither Keller nor '974 have a casino game with a house advantage in a predetermined range with the predetermined range having set limits based on the correctness of the answers as found in claims 1-7, 12, 13 and 18.

Neither Keller nor '974 have a first game of chance with a negative player's expected return and a second knowledge-based game having a positive player's expected return as found in claims 42-46, 50, 55, 57 and 58. The terms "predetermined range," "house advantage, "negative player's expected return", and "positive player's expected return" are fully defined and illustrated in the specification a number of times. Keller is not a casino game. '974 does not have separate player expected returns for

the play of the two separate games. Claims 1-7, 12, 13 and 18 have been amended to recite separate play of the combined underlying and bonus games in the casino game. In '974, the player never separately plays the underlying game with an expectation of receiving payoffs—the player must always correctly answer in the second knowledge game to receive the randomly obtained prize in the underlying game. Separate play and separate expected returns do not exist in '974.

The Rejection states with respect to Keller:

> "The house advantage is at the bottom of column 2, lines 61-67 where a player is played for the entertainment. The house advantage is nothing more than a percentage of the wager retained by the house for the privileges of playing the games."

The only appearance of the word "wager" appears in Keller at column 2, line 26 and this appearance clearly excludes the possibility that Keller places wagers and pays winners in his invention. The applicant respectfully disagrees with the aforesaid rejection. Furthermore, there is no teaching of "house advantage" or "percentage of the wager" found in Keller. Keller requires a fee payment up front. He sells chips for the services. Column 2, lines 1-5. The term "wager" only has meaning in the world of gambling and not in the world of entertainment such as found with arcade games. As will be discussed later, Keller does not have a house advantage as the term is used. Keller is paid up front for his entertainment service. Claims 1-7, 12, 13, and 18 have been amended to recite that the casino game receives a wager to play the casino game. The claimed casino game recites playing both the underlying and the knowledge-based games. In contrast, Keller has no such teaching. Keller only teaches playing discrete slot and skill games. Keller requires "chips" to play the non-traditional slot game (col. 2, lines 5-15) and separate "tokens" to play one of many separate skill games (col. 2, lines 35-38). For this reason alone, claims 1-7, 12, 13 and 18 are patentably distinct over Keller under 35 U.S.C. §102 and §103.

As to claim 5 (stopping based on a condition occurring during play of the underlying game of chance), claim 5 has been amended to recite the appearance of a bonus symbol or a random number of wagers received as found at page 38 of the specification. As to claim 6 (stopping based on a condition unrelated to the play of the underlying game of chance), claim 6 has been amended to recite stopping when a

random timer times out or when a random number appears in the roll of dice as found on page 8 of the Specification. These method features are not found in Keller or '974. As to claims 7(stopping at a given frequency), 12(providing at least one query), 13(multiple choice), and 18(paying a first and second amounts), when these claims are read with their corresponding independent claims all, for the reasons discussed above are patentably distinct and not anticipated over Keller or '974.

35 U.S.C. § 103(a)

Claims 8-11, 14-17, 19-30, 47-49, 51-54, and 56 were rejected in paragraphs 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Keller and/or 2,197,974 in view of Thompson.

Independent claims 1(and, therefore, claims 8-11 and 14-17) and 42(and, therefore, claims 47-49, 51-54, and 56) are patentably distinct over Keller and/or '974 based on the arguments set forth above which are incorporated by reference.

Independent claim 19 (and, therefore, claims 20-24) recites a house advantage for the combined knowledge-based and underlying casino games within a predetermined range having a set limit based on all answers to all queries being correct and the wager. Keller is not concerned with wagers or casino games and actually teaches away from this claimed invention. '974 has no teachings of this claimed house advantage feature whatsoever.

Independent claim 25 (and, therefore, claims 26-30) recites a house advantage for the combined knowledge-based and underlying casino games in a range having a first set limit based on all answers to all queries being correct to a second set limit based on all queries being guessed at. Keller is not concerned with wagers or casino games and actually teaches away from this claimed invention. '974 has no teachings of this claimed house advantage feature whatsoever.

As to claim 8 when read with claim 1, neither Thompson in combination with either Keller or '974 renders claim 8 when read as a whole with claim 1 obvious. Indeed, Thompson is further evidence of nonobviousness as it has no teachings of the claimed house advantage as found in claim 1.

As to claims 9-11, 19, 20, 25-30, 48, 49 and 56, the cited references do not

teach, suggest or infer the claimed house advantages. As discussed subsequently with respect to the Declaration, the "setting of the house advantage" is not an obvious design choice.

When claims 14, 15-17, 21-24 and 51-54 are read with their independent claims, they are patentably distinct over the cited references. It is maintained that all claims 8-11, 14-17, 19-30, 47, 49, 51-54 and 56, as amended, are patentably distinct over Keller and/or '974 in view of Thompson.

Supporting Declarations Under 37 CFR 1.132

In making the 35 U.S.C. §103 rejection, the Rejection states several times that the settings for the house advantage are obvious matters of design choice (e.g., see page 5, lines 2-3 of the Rejection). The applicant respectfully disagrees and re-submits the following Declarations of Vancura, Grochowski, and Gushin.

Olaf Vancura, the sole inventor of the claims herein, is a nationally known expert in casino games having authored two popular books and having appeared on television documentaries concerning the gaming industry. His background is in complex mathematics including the statistical analysis of gaming machines. In the Rejection, it has been stated that the house advantage determination is obvious. This Declaration from Olaf Vancura fully supports the opposite position that the claimed house advantages are not obvious. Indeed, despite the prevalence of adapting knowledge-based television game "themes" into casino games, the "State of the Art" evidence earlier provided further shows that the element of player knowledge has not been incorporated into the house advantage determination. Until his invention, it was not known how to handle responses based on the knowledge of a player in casino games in the United States which are required to operate on random, independent events and ensure a house advantage. All of the formulas in all of the examples found in the Specification are based upon such random events.

The claims, as presented, claim various embodiments of the novel house advantage of the present invention pertaining to a (1) predetermined range having set limits for the house advantage for all play of the casino games, (2) a house advantage that provides a set limit to preserve the house advantage against a player having all

answers correct over all play of the casino game, (3) a house advantage having a set limit to encourage players who guess over all play of the casino game, (4) a house advantage having two set limits: always correct and always guessed at, (5) a house advantage that is a function of the parameters of a mathematical formula set forth in the specification, and (6) a knowledge-based bonus game where even an incorrect answer receives a payoff. Each of these will be discussed next.

1. Predetermined Range Having Set Limits

The invention results in "set limits" for a "predetermined house advantage range" for "all play" of the casino game. In the submitted United Kingdom references, it is not known how to provide such "set limits" for all play of the casino game or how to provide a "predetermined range," for knowledge-based casino bonus games. As pointed out in the Vancura Declaration (paragraphs 5-7), knowledgeable players may bankrupt the house and, therefore, the machines in the United Kingdom must use adaptive logic to continually monitor money in and money out of the machine in order to prevent bankruptcy by changing the odds, by changing the series of questions (so they cannot be memorized), by increasing the difficulty of the questions, by reducing future payouts, etc. In these references, there are no set limits for all play of the game. These references provide a casino game that adapts to the player's knowledge. The language in the following pending claims are directed to a house advantage having a predetermined range with set limits: claims 1-30, and 88-102.

2. Set Limit Based Upon Answers Always Being Correct

The Rejection also stated that setting the house limit based upon answers that are always correct is obvious to one skilled in the art. The Vancura Declaration (paragraph 6) is solid evidence of the nonobviousness of this approach. Careful analysis of Keller and '974 show no teaching, suggestion, or inference for this type of hypothetical player let alone setting a house limit for the casino game over all play. The British references address the situation of a player with perfect knowledge and use adaptive logic to change the operating characteristics of the machine in the face of such a player. Changing the operation of the machine is a directly opposite teaching of

"setting" a limit for all play of the game as claimed and taught. This feature is found in the following pending claims: 9, 19-30, 48, 56, 94, 111, 113, 116, and 120-123, and 128-129. An example of such claim language is "one of the set limits is based upon all answers in the knowledge-based bonus game are always correct." (claim 9)

3. Set Limit Based upon Guesses

The Rejection also stated that setting the house limit based upon guessing at the answers is obvious to one skilled in the art. Again, the Vancura Declaration (paragraph 7) is solid evidence of the nonobviousness of this approach. Indeed, careful analysis of Keller, '974, and the British references show no consideration for this hypothetical player let alone setting a house limit for the casino game over all play. This protects the player who guesses against the house taking an unfair advantage. By setting the limit for this guessing type of hypothetical player, such players who do not know the answers are encouraged, risk free, to continue play. Hence, this feature in and of itself is patentably distinct and nonobvious to one skilled in the art. This feature is found in pending claims: 10, 25-30, 49, 56, 95, 112, 113, 117, 120-123, 128-129. An example of such claim language is "one of the set limits is based upon all answers in the knowledge-based game bonus game are always guessed at." (claim 10)

4. Two Set Limits: Always Correct and Always Guessing

Furthermore, as found in the specification, the game may be designed with set limits (for a perfect player and a player who simply guesses) sufficiently close (see, e.g., example 2 on page 13) so that all types of players enjoy a reasonable rate of return. In this way, players with vast knowledge are treated to a greater rate of return, but less knowledgeable players need not be intimidated. This is discussed in the Vancura Declaration (paragraph 8). Their rate of return is also assured to an acceptable level, and furthermore they have the opportunity to learn and increase their rate of return. There is no teaching whatsoever in Keller or '974, or any of the British references to provide two set limits for all play of the casino game wherein one set limit is based upon answers always being correct and the second set limit for the house advantage is always based upon answers being guessed at. This embodiment of the present

invention is found in claims 25-30, 113, 120-123. As an example: "having a house advantage in a range from a first set limit based on all answers to all queries are correct and a second set limit based on all answers to all queries are guessed." (claim 25)

5. House Advantage Formula

The functional parameters of the formula are set forth in claims 88-102, 123 and 128-129. The actual formula is set forth in claim 115. Vancura's Declaration sets this forth at paragraphs 8 and 12. The house advantage of the present invention is based on the formula presented in the Specification that provide "set limits" based on the correctness of the player's answers which statistically preserve the house advantage (hence, casino profit) even in the presence of a player with perfect knowledge over all play of the casino game. This has never been done before.

6. Incorrect Answer Receives Payoff

The Vancura Declaration (paragraph 11 and 12) is further evidence that it was not obvious to one skilled in the art to provide a knowledge-based bonus game wherein players who incorrectly guess the answer still receive positive reinforcement in the form of an enhanced payoff. The cited references of Keller and '974A have no such teaching. In this embodiment of the present invention, a player incorrectly answering the knowledge-based bonus question still receives a payoff thereby providing positive reinforcement. This is found in claims: 42-58 (claim 42 states: "the second knowledge-based game always having a positive player's expected return."), 96 ("the predetermined range for the knowledge-based game is always positive"), 103-110 (claim 103 states: "paying the player a lower positive amount in units when the at least one answer is incorrect."), 120 ("a positive player expected return in units for all play of the knowledge-based bonus game"), and 128-129.

The notarized Declaration of John J. Grochowski is also attached as further evidence of (1) the need of the present invention in the casino industry, (2) the failure by the casino industry to meet this need, and (3) the nonobviouness of the applicant's house advantage. Mr. Grochowski is a nationally known expert in casino games--especially in new casino games. Dr. Vancura demonstrated a demo version of the

Ripley's game to Mr. Grochowski who then provided his notarized oath. His Declaration recognizes that a need exists for a casino game that allows players the opportunity to test their knowledge with awards based on their answers to questions (Paragraph 2). His Declaration further recognizes that the current casino games do not include the actual test of knowledge that is found in the TV shows which they are based on (Paragraph 2). The earlier submission of the State of Art evidence fully supports this statement. Mr. Grochowski expressed surprise that the demonstrated Ripley's casino game could test a player's knowledge while remaining within regulatory and/or legal limits (Paragraph 3). Even so, Mr. Grochowski still believed a risk existed from players who know all the answers, that the game would not be able to provide a minimum house advantage (i.e., the house would bankrupt) (Paragraph 3). Mr. Grochowski was not told how the present invention in the Ripley's game provides a minimum house advantage against the perfect player who knows all the answers.

The Declaration of Fredic E. Gushin is also attached. Mr. Gushin is Managing Director of Spectrum Gaming which is an international casino gaming consultancy for both gaming regulatory and casino development issues. He is the former Assistant Director of the State of New Jersey Division of Gaming Enforcement having direct responsibility for testing new gaming devices for regulatory approval. Mr. Gushin testifies as to the non-obviousness of the house advantage of the Ripley's casino game:

> ***In my experience, I am not aware of any casino game of chance having a bonus game wherein players can actually provide correct answers based on their player's knowledge to the casino game and receive higher payoffs. Before the Ripley's Casino game, I had never seen a game with this unique feature that could be included in the gaming device and still guarantee the necessary house advantage (especially against a player who knows all the answers) to allow approval in North American Gaming jurisdictions. Further, the Ripley's casino game provides lower payoffs to players who do not have the correct answers thereby encouraging such players to play. I was very surprised and intrigued to find such features available, as I previously did not believe it was possible to include such a knowledge-based component in a casino game and still have the game adhere to the necessary house advantage requirements of North American gaming jurisdictions.***

It is maintained that the claimed house advantages are non-obvious and are in condition for allowance.

Newly Submitted Claims

Independent claims 88, 111, 112, and 114 recite the instantaneous house advantage for a casino game having an underlying game of chance implemented with a knowledge-based bonus game. This is a single self-contained casino game. Claims 88, 111, and 112 further recite that the instantaneous house advantage is based on: (a) the wager in units, (b) the player's expected return in units for the underlying game of chance, (c) the player's expected return in units for the knowledge-based bonus game, and (d) the known statistical frequency rate of stopping the underlying game. This is found, for example, at page 8, line 17 – page 9, line 9 of the Specification. There is no disclosure in Keller or '974 of these claimed features. Claim 88 also recites an instantaneous house advantage within a predetermined range. The instantaneous house advantage while a function of factors (a), (b) and (d), above, is instantaneous in that it varies in the predetermined range based only on (c) above – i.e., only on the player's current knowledge in the form of correctness of the player's answers. This provides, as claimed, an average house advantage for the casino game in the predetermined range. Not only is there no teaching of a house advantage in Keller or '974, there is no teaching of any of these features. It is maintained that independent claims 88-102, 111, 112 and 114 are patentably distinct over Keller under 35 U.S.C. §102 or §103 taken alone or in combination with each other.

Independent claim 103 recites that the player is paid a higher positive amount when correctly answering the query and a lower positive amount when the player incorrectly answers the query. Support for this claim is found in numerous examples throughout the Specification. A new search is not required for claim 103 as it corresponds to original dependent claim 18 when read with original claim 1. In the cited Keller and '974, the player loses when the player unsuccessfully plays the skill game. In Keller, the player does not receive the "prize." And in '974, the player does not receive the payoff randomly selected in the underlying fruit machine. There is no teaching in either reference or any of the references cited of: (1) separately

compensating the player in the play of the underlying game of chance at an expected return rate and then ending the casino game and (2) compensating the player when an incorrect answer is provided in the knowledge-based game of the present invention as found in claim 103. Claim 104 recites that the higher and lower positive amounts are greater than the wager. Example 1 on pages 10-11 of the specification supports this claim. Dependent claim 105 recites the series of questions embodiment on page 30 of the Specification. Dependent claim 106 recites the "degrees of difficulty" embodiment on page 29 of the Specification. Dependent claim 107 recites the "double or nothing" embodiment found on page 30 of the Specification. Dependent claim 108 recited the "proximate response" feature found on page 28 of the Specification. Dependent claim 109 recites the embodiment of having a plurality of correct answers found in the embodiment on page 23 of the Specification. Dependent claim 110 recites the embodiment on page 13 of the Specification wherein the player, if incorrect on the first answer, but is correct on a second answer obtains a payout amount between the higher and lower positive amounts. Hence, new independent claim 103 and corresponding dependent claims 104-110 are patentably distinct over either Keller or '974 taken individually or in combination with each other.

Independent claim 113 recites that the casino game comprises two games, a slot game and a knowledge-based game, wherein the slot game is played then stopped in order to play the knowledge-based game which continues the play of the overall casino game. In the play of the knowledge-based game, the player's expected return is at a first limit based upon all answers always being correct and at a second limit based on all answers being guessed at. As a design choice based on the teachings in the Specification, these first and second limits are set for all play of the casino game. There is no teaching in Keller whatsoever of either limit or the fact that it is set for all play of the casino game. Nor is there any teaching in Keller, as mentioned above, of a knowledge-based game that works with a slot game to provide an overall casino game based on a received wager. '974 provides a standard fruit machine with a published lookup table of prizes 7. When a winning combination occurs on the payout line 8, the potential of a payoff exists only when the player successfully completes a series of questions. Claim 113 provides an expected return to the player in the underlying slot

game which has no meaning in '974. Claim 113 recites separate payoffs during the play of the underlying slot game and the knowledge-based bonus game. It is maintained that new claim 113 is patentably distinct over Keller or '974 taken individually or in combination with each other.

New claims 114-119 recite the instantaneous house advantage of the present invention being "set over all play of the casino game as a function of the correctness of the at least one answer." This is supported throughout the specification as presented above. The player is paid (a) when the player wins in the underlying game of chance and (b) during play of the separate knowledge-based game based as a function of the correctness. None of the cited references, provide a casino game wherein the player plays the underlying game of chance with an expected rate of return, plays the bonus game at an expected rate of return based upon the correctness of the answer from the player so as to provide an instantaneous house advantage set over all play of the casino game. Dependent claim 115 provides the formula set forth in the specification at page 9, dependent claim 116 sets forth one set limit where the player always answers the questions correctly during all play of knowledge-based game and dependent claim 117 recites the second limit of the instantaneous house range being set at all play of the knowledge-based bonus game when answers always guessed at. Dependent claim 118 sets forth that the known frequency rate is periodic and claim 119 that it is random with a statistical frequency over time. Claims 114-119 are patentably distinct over Keller and '974 taken individually or combined together.

New method claims 120-122 cover the embodiment of the present invention on page 16, lines 6-13 of the Specification wherein the player's expectation in the knowledge-based bonus game varies over time, but obtains the set limits for all play of the casino game. Neither Keller nor '974 teach this claimed invention.

New claim 123 is directed to the casino game shown in Figure 1 with the house advantage in a range having a first limit with all player answers correct and a second limit with all player answers guessed at and with the house advantage being equal to or greater than zero. Neither Keller or '974 teach this claimed casino game.

New claims 124 -129 are directed to a method of playing a casino game having an underlying game of chance and a knowledge-based bonus game where the

instantaneous house advantage varies dependent on the correctness of the player's answers but only in a set range and with the house advantage greater than or equal to zero. Neither Keller nor '974 teach these claimed methods.

Newly Cited Prior Art

The Walker 6,193,606 B1 patent is a variation on '974 in that the conventional slot game pay table is modified: increased (for a correct answer), decreased (for an incorrect answer), or maintained (for no answer) (see Figure 9). These modifications to the pay table fund the game (see col. 2, lines 50-53). The trivia questions of Walker, like '974, do not constitute a separate knowledge-based game as taught herein. For completeness, the references cited in Walker are submitted herein. In Walker, money saved from wrong answers (i.e., the player is penalized from the standard pay) is believed used to pay money paid for right answers (i.e., the player is rewarded from the standard pay). This funding approach in Walker penalizes the player who has no knowledge (as shown in Figure 9, a "no trivia answer" always pays more than "an incorrect trivia answer")—those players receive a greater payoff simply playing the slot game and winning one of the certain predefined winning combinations. The present invention with its house advantage range and its set limit for the player who always guesses actually encourages such players as they will always be rewarded. Neither Walker, the British references, Keller nor '974 encourage play by players who guess as represented by a set limit in the house advantage range of the present invention

The British references discussed in the Vancura Declaration are further evidence of the patentablity of the present invention and are also provided herein. The British references by using adaptive logic to monitor money into the machine and money paid out, actually discourages knowledgeable players by changing game parameters to make it more difficult for knowledgeable players to win in future plays of the game. The present invention encourages knowledgeable players (or team players) to always play and receive a higher payoff for being correct and yet the house advantage is preserved at a set limit to protect the casino.

Conclusion

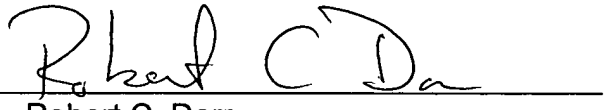
For these reasons set forth above, all pending claims are patentably distinct over the references cited and allowance of claims is respectfully requested.

Should the Examiner have any questions regarding the above, please feel free to give the below-listed attorney a call. If additional fees are required, please debit our Deposit Account No. 04-1414.

Respectfully submitted,

DORR, CARSON, SLOAN & BIRNEY, P.C.

Date: 07/16/01

By: 

Robert C. Dorr
Reg. No. 27,782
3010 East 6th Avenue
Denver, Colorado 80206
(303) 333-3010
email: bobdorr@patnet.com

\\Dcsp\common\RCD\MIKOHN\PATENT\198a-CPA Preliminary Amendment.doc

1. (twice amended) A method for playing a casino game comprising the steps of:

receiving a wager for the casino game,

playing an underlying game of chance in the casino game,

playing a knowledge-based bonus game in the casino game using answers from a player, the play of the knowledge-based game separate from the play of [in combination with] the underlying game of chance, the combined play of both the knowledge-based bonus game with the underlying game of chance having a house advantage for the casino game within a predetermined range, the predetermined range having set limits based on the correctness of the answers and the wager.

5. (amended) The method of claim 3 wherein stopping the underlying game of chance is based upon a condition occurring in the play of the underlying game of chance, the condition being one of the following: the appearance of a bonus symbol in the step of playing of the underlying game of chance or a random number wagers received in the step of receiving.

6. (amended) The method of claim 3 wherein stopping the underlying game of chance is based upon a condition occurring unrelated to the play of the underlying game of chance, the condition being one of the following: the timing out of a random timer in the play of the underlying game of chance or an appearance of a number in a random roll of dice after the play of the underlying game of chance.

7. (amended) The method of claim 3 wherein stopping of the underlying game of chance occurs at a [given] known frequency.

8. (amended) The method of claim 3 wherein stopping of the underlying game of chance is randomly chosen at a [given] known frequency.

9. (twice amended) The method of claim 1 wherein [the knowledge-based bonus game has queries with answers and wherein the house advantage is at least a] one of the set

limits is based upon all answers [to all queries] in the knowledge-based bonus game are always correct.

10. (twice amended) The method of claim 1 wherein [the knowledge-based bonus game has queries with answers and wherein the house advantage is at most a] one of the set limits is based upon all answers [to all queries] in the knowledge-based bonus game are always guessed at.

11. (amended) The method of claim 1 wherein the predetermined range is positive [house advantage is in the range of about –3% to about 20%].

14. (amended) The method of claim 12 wherein the at least one query is [an] a query requiring a proximate answer.

21. (amended) The method of claim 19 wherein the at least one query is [an] a query requiring a proximate answer.

25. (amended) A method for playing a combined knowledge-based bonus game with an underlying casino game of chance, the method comprising the steps of:

playing the underlying casino game of chance,

playing the knowledge-based bonus game, the play of the knowledge-based game separate from [in combination with] the underlying game, the steps of playing the knowledge-based game at least having the steps of:

(a) providing at least one query to [the] a player in the knowledge-based game,

(b) receiving at least one answer from the player in response to the provided at least one query,

the [combined] separate play of the knowledge-based bonus game with the underlying casino game having a house advantage in a range from a first set limit based on all answers to all queries are correct [and] to a second set limit based on all answers to all queries are guessed.

29. (amended) The method of claim 25 wherein the step of playing occurs at a [given] known frequency.

30. (amended) The method of claim 25 wherein the step of playing is randomly chosen at a [given] known frequency.

42. (twice amended) A method for a casino game comprising the steps of:

providing a first game of chance,

providing a second knowledge-based game,

playing the first game of chance having a negative player's expected return relative to a player's wager,

stopping play of the first game,

playing the second knowledge-based game using answers from a player when the first game is stopped, the second knowledge-based game always having a positive player's expected return.

47. (amended) The method of claim 42 wherein the step of stopping is randomly chosen at a [given] known frequency.

52. (amended) The method of claim 50 wherein the at least one query is [an] a query requiring a proximate answer.

\\Dcsp\common\RCD\MIKOHN\PATENT\198a-CPA - Ex. A.doc